

CANNABIS CONTROL COMMISSION

March 6, 2026

12:00 PM

Remote via [Microsoft Teams Live*](#)

PUBLIC MEETING MINUTES

Documents:

- [Meeting Packet](#)
- March 5, 2026, 935 Code Mass. Regs. § 500.000 Draft Delivery Exclusivity and Secret Shopper Regulations.
- March 5, 2026, 935 Code Mass. Regs. § 501.000 Draft Secret Shopper Regulations.

In Attendance:

- Chair Shannon O'Brien
- Commissioner Carrie Benedon
- Commissioner Kimberly Roy
- Commissioner Bruce Stebbins

Minutes:

I. Call to Order

- The Chair recognized a quorum and called the meeting to order.
- The Chair gave notice that the meeting is being recorded.
- The Chair gave an overview of the agenda.

II. Commissioners' Comments & Updates – 00:00:48

- Commissioner Benedon had no comments. Commissioner Roy stated she was pleased to start ratifying updates to the Secret Shopper Program regulations to protect public health, safety and Consumer protection across the Commonwealth. She thanked Commissioners and staff for getting to this point. She also thanked stakeholders who testified, provided feedback and recommendations along the way. Commissioner Stebbins made no comments, and the Chair thanked staff and Commissioners.

III. Commission Discussion and Votes – 00:02:10

1. Discussion and Review of Draft Regulations and Policy Questions

- Associate General Counsel Erica Bruno (AGC Bruno) started off at the definition of Secret Shopper and read the proposed amendments and explained the changes.



Commissioner Roy thanked her for word smithing the definition and expressed how proud she was of the product. Commissioner Stebbins stated that the definition was well written and drafted. He raised a cautionary note around unannounced purchases from a Cultivator or Product Manufacturer and wanted to strike the whole sentence. The Chair noted that they wanted to make sure all options were available and had extra tools. Commissioner Roy noted that the sentence was added after hearing feedback around Metrc. Commissioner Stebbins noted that nobody off the street could purchase Marijuana from those Licensees and asked if a Licensee would make purchases. He asked if the Investigations and Enforcement department could data for a comparative and investigation process. Commissioner Roy stated that a scenario like that wouldn't happen and that they baked in language that a Licensee and third-party transporter at the discretion and direction of the Commission would be the one to go in to make purchases and explained that more optionality was the reason for the addition. Executive Director (ED) Travis Ahern noted great discussions around setting up optionality to the program and noted in favor of keeping language for optionality for building out the program from day one. Commissioner Stebbins appreciated the conversation and noted the concern of suggesting someone else other than the Commission. The Chair noted it would send a strong message to get the most accurate and healthy testing. Commissioner Roy noted precedent and Independent Testing Labs (ITLs) serve as proxy. Commissioner Stebbins noted that operational ability was concerning. Commissioner Roy noted other jurisdictions have labs go directly to Cultivators and Product Manufacturers to get samples. Commissioner Stebbins stated he raised his concerns and he could live with the "may" and that Standard Operating Procedures (SOPs) and procedures need to be laid out. The Chair noted consensus on the Secret Shopper definition. AGC Bruno moved to 935 Code Mass. Regs. § 500.303 and proposed changes to the title of the section and then moved to 935 Code Mass. Regs. § 500.303(1) and proposed amendments and changes. Commissioner Roy asked if they could go back to the definition of Secret Shopper and proposed a change. AGC Bruno stated they could change the language and read it with Commissioner Roy's proposed change. Commissioner Roy asked for a break to speak with AGC Bruno.

- Commissioner Roy moved to take a recess returning at 12:35 PM.
- The Chair seconded the motion.
- The Chair took a roll call vote:
 - Commissioner Benedon – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - Chair O'Brien – Yes
- The Commission unanimously approved the motion.
- The Commission took a brief recess. (Returned at 00:34:50.)
- AGC Bruno clarified the three potential roles of a Secret Shopper. Commissioner Roy thanked her for the edits and explained the purpose to encompass different scenarios.



She explained that they put Commission or a Commission Delegee throughout the regulations and added the phrase “otherwise obtained”. The Chair noted consensus. AGC Bruno went back to 935 Code Mass. Regs. § 500.303(1) and read it again. She noted the changes to create broader language. Commissioner Roy complemented her for broadening the language. The Chair noted consensus. AGC Bruno read 935 Code Mass. Regs. § 500.303(2) for a title change and 935 Code Mass. Regs. § 500.303(2)(a). She proposed changes to the language. Commissioner Roy requested an amendment to 935 Code Mass. Regs. § 500.303(2)(a)2. to add “otherwise obtained” and AGC Bruno confirmed. The Chair noted consensus. AGC Bruno then read 935 Code Mass. Regs. § 500.303(3) for a title change and 935 Code Mass. Regs. § 500.303(3)(a)-(d). The Chair noted consensus. AGC Bruno read 935 Code Mass. Regs. § 500.303(4)(b) and proposed the changes. She stated she would draft some additions to the language to capture previous conversation. Commissioner Roy asked about who was retaining investigative results and Commissioner Stebbins requested to add “the Commission’s” records. The Chair requested “subject to the Secret Shopper”. Commissioner Benedon requested “the Commission shall retain all investigative results as part of the record.” AGC Bruno confirmed she was comfortable with the language and put revised language in the chat. AGC Bruno read the language. Commissioner Roy asked for some wordsmithing and AGC Bruno made the amendments. The Chair noted consensus. AGC Bruno read 935 Code Mass. Regs. § 500.303(5) for a title change. She then read 935 Code Mass. Regs. § 500.303(7). The Chair asked about next steps. Commissioner Roy suggested motion for AGC Bruno to make ministerial edits. AGC Bruno noted that the Legal department further investigated indigenous people and if they were included in the minority business enterprise language. She stated she would draft motion language to vote on as a package. Commissioner Roy mentioned a friendly amendment to add “updating the board as appropriate” and she mentioned putting a date in the motion. The Chair mentioned guidance documents and SOPs that need to be established. AGC Bruno thanked staff for work with expedited timelines.

- Commissioner Roy moved to approve the regulations at 935 CMR 500.000 and 935 CMR 501.000 as final, including all amendments related to Delivery Exclusivity and the Secret Shopper Program resulting from Commission deliberations. Further, to authorize Commission staff and the legal department to make any ministerial edits necessary and consistent with Commission deliberations and votes, the Commission’s governing laws, and the Secretary of the Commonwealth’s requirements, and to take any additional steps necessary to file the final regulations with the Secretary of the Commonwealth no later than March 13, 2026.
- Commissioner Stebbins seconded the motion.
- The Chair took a roll call vote:
 - Commissioner Benedon – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - Chair O’Brien – Yes



- The Commission unanimously approved the motion to adjourn.

XII. New Business Not Anticipated at the Time of Posting – 01:10:25

- The Chair stated that there was no new business not anticipated at the time of posting.

XIII. Next Meeting Date – 01:10:37

- The Chair stated that the next meeting was scheduled for March 12, 2026.

IV. Adjournment – 01:10:47

- Commissioner Benedon moved to adjourn.
- Commissioner Roy seconded the motion.
- The Chair took a roll call vote:
 - Commissioner Benedon – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - Chair O'Brien – Yes
- The Commission unanimously approved the motion to adjourn.

